
HOUSE BILL 2567

State of Washington

60th Legislature

2008 Regular Session

By Representative Haler

Prefiled 01/09/08. Read first time 01/14/08. Referred to Committee on State Government & Tribal Affairs.

1 AN ACT Relating to open meetings; amending RCW 42.30.120; and
2 prescribing penalties.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 42.30.120 and 1985 c 69 s 1 are each amended to read
5 as follows:

6 (1) Each member of the governing body who attends a meeting of such
7 governing body where action is taken in violation of any provision of
8 this chapter applicable to him or her, with knowledge of the fact that
9 the meeting is in violation thereof, shall be subject to personal
10 liability in the form of a civil penalty in the amount of one
11 (~~hundred~~) thousand dollars. The civil penalty shall be assessed by
12 a judge of the superior court and an action to enforce this penalty may
13 be brought by any person. A violation of this chapter does not
14 constitute a crime and assessment of the civil penalty by a judge shall
15 not give rise to any disability or legal disadvantage based on
16 conviction of a criminal offense.

17 (2) Any person who prevails against a public agency in any action
18 in the courts for a violation of this chapter shall be awarded all
19 costs, including reasonable attorneys' fees, incurred in connection

1 with such legal action. Pursuant to RCW 4.84.185, any public agency
2 ((~~who~~)) that prevails in any action in the courts for a violation of
3 this chapter may be awarded reasonable expenses and attorneys' fees
4 upon final judgment and written findings by the trial judge that the
5 action was frivolous and advanced without reasonable cause.

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